

Edwards & Angell, LLP  
Dike, Bronstein Roberts & Cushman  
Intellectual Property Practice Group  
PO BOX 9169  
Boston, Massachusetts 02209

Attorney's Docket No. 55114 (71850) #3

Page 1 of 4

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DEVICE FOR COOLING A BEARING; FLYWHEEL ENERGY STORAGE SYSTEM USING SUCH A BEARING COOLING DEVICE AND METHODS RELATED THERETO**

which is described and claimed in:

- ☐ the specification attached hereto.
- ☒ the specification in U.S. Application Serial Number 09/924,153 filed on August 7, 2001
- ☐ the specification in PCT international application Number \_\_\_\_\_, filed on \_\_\_\_\_; and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign/PCT Applications and Any Priority Claims Under 35 U.S.C. §119:			
Application No.	Filing Date	Country	Priority Claimed Under 35 U.S.C. §119?
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between

the filing date of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Applications or PCT International Applications Designating the U.S-Benefit Under 35 U.S.C. §120					
U.S. Applications			Status (Check One)		
Application Serial No.	U.S. Filing Date	Patented	Pending	Abandoned	
PCT Applications Designating the U.S.					
Application No.	Filing Date	U.S. Serial No. Assigned			

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. §119(e))**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Applicant	Provisional Application Number	Filing Date

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Peter F. Corless (Reg. No. 33,860)  
David G. Conlin (Reg. No. 27,026)  
George W. Neuner (Reg. No. 26,964)  
Linda M. Buckley (Reg. No. 31,003)  
Peter J. Manus (Reg. No. 26,766)

Christine C. O'Day (Reg. No. 38,256)  
Cara Z. Lowen (Reg. No. 38,227)  
William J. Daley, Jr. (Reg. No. 34,587)  
Robert L. Buchanan (Reg. No. 40,927)  
David Tucker (Reg. No. 27,840)

Lisa Swiszc Hazzard (Reg. No. 44,368)  
George Hartnell (Reg. No. 44,368)  
Steven M. Jensen (Reg. No. 42,693)  
Katherine A. Piffat (Reg. No. 34,901)

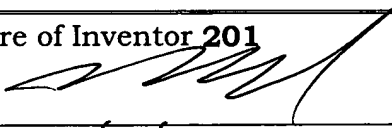
<b>SEND CORRESPONDENCE TO:</b> William J. Daley, Jr. Dike, Bronstein, Roberts & Cushman <i>Intellectual Property Practice Group of</i> EDWARDS & ANGELL, LLP PO BOX 9169 Boston, Massachusetts 02209	<b>DIRECT TELEPHONE CALLS TO:</b>  William J. Daley, Jr. (617) 439-4444
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2 0 1	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		<b>Woodard</b>	<b>Nathan</b>	<b>G.</b>
	RESIDENCE & CITIZENSHIP	<b>1783 N. Madison Ave.</b>	<b>Pasadena</b>	COUNTRY OF CITIZENSHIP <b>UNITED STATES</b>
	POST OFFICE ADDRESS			STATE OR COUNTRY AND ZIP CODE <b>California 91104</b>

2 0 2	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		<b>Kabir</b>	<b>Omar</b>	<b>M.</b>
	RESIDENCE & CITIZENSHIP	<b>11252 Duanesburg Road</b>	<b>Delanson</b>	COUNTRY OF CITIZENSHIP <b>UNITED STATES</b>
	POST OFFICE ADDRESS			STATE OR COUNTRY AND ZIP CODE <b>New York 12053</b>

2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		<b>Rathbun</b>	<b>Jeremiah</b>	<b>I.</b>
	RESIDENCE & CITIZENSHIP	<b>35 Griffin Road</b>	<b>Peabody</b>	COUNTRY OF CITIZENSHIP <b>UNITED STATES</b>
	POST OFFICE ADDRESS			STATE OR COUNTRY AND ZIP CODE <b>Massachusetts 01960</b>

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>201</b> 	
Date: <u>9/28/01</u>	

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>202</b>	
Date:	


I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>203</b>	
Date:	

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>201</b>	
Date:	

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>202</b>	
Date: 10/2/01	

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>203</b>	
Date:	

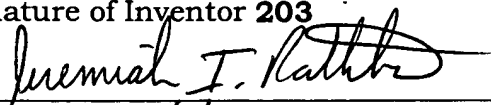
I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>201</b>	
Date:	

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>202</b>	
Date:	

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>203</b> 	
Date: 10/1/01	



Attorney's Docket No.: 55114 (71850)

Applicant(s): Nathan G. WOODARD, Omar M. KABIR, Jeremiah I. RATHBUN

Application No.: 09/924,153

Filed: August 7, 2001

For: DEVICE FOR COOLING A BEARING; FLYWHEEL ENERGY STORAGE SYSTEM USING SUCH A BEARING COOLING DEVICE AND METHODS RELATED THERETO

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (C.F.R. 1.9(F) AND 1.27) – SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act of behalf of the concern identified below:

NAME OF CONCERN: BEACON POWER CORPORATION

ADDRESS: 234 Ballardvale Street, Wilmington, Massachusetts 01887

I hereby declare that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concern are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention entitled

DEVICE FOR COOLING A BEARING; FLYWHEEL ENERGY STORAGE SYSTEM USING SUCH A BEARING COOLING DEVICE AND METHODS RELATED THERETO

By inventor(s): Nathan G. WOODARD, Omar M. KABIR, and Jeremiah I. RATHBUN

Described in

- ☐ the specification filed herewith.  
☒ the application no. 09/924,153 filed on August 7, 2001.  
☐ the patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9 (c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

NAME BEACON POWER CORPORATION  
ADDRESS 234 BALLARDVALE ST, WILMINGTON, MA 01887

☐ Individual ☒ Small Business concern

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37CFR 1.28(b)). I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING MATTHEW L. LAZAREWICZ

TITLE OF PERSON VICE PRESIDENT OF ENGINEERING

ADDRESS OF PERSON SIGNING: 234 Ballardvale Street, Wilmington, Massachusetts  
01887

SIGNATURE: 

DATE 10/4/01